



THE ECLIPSE GROUP

AN INTELLECTUAL PROPERTY FIRM  
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Tel. No. (949) 448-9410  
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## FACSIMILE TRANSMITTAL SHEET

TO:	EBC/Central Facsimile Number	FROM:	Jeffrey C. Wilk
COMPANY:	United States Patent & Trademark Office	DATE:	12/22/2003
FAX NUMBER:	(703) 872-9306	TOTAL NO. OF PAGES INCLUDING COVER:	17
PHONE NUMBER:	(703) 305-3028	SENDER'S REFERENCE NUMBER:	01-40US
RE:	Response to Office Action	YOUR REFERENCE NUMBER:	Ser. No. <del>10/431,679</del> 10/066,124

☐ URGENT ☒ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

## NOTES/COMMENTS:

Dear Sirs:

On Friday, December 19, 2003, our office faxed to the USPTO a Response to Office Action mailed August 29, 2003, for Serial No. 10/431,679 consisting of thirteen (13) pages (a copy of the Auto-Reply Facsimile Transmission from the USPTO is attached hereto). We inadvertently failed to include the Credit Card Payment and Fee Transmittal Forms for the payment of the extension fee required for this submission. Therefore we are re-faxing the entire Response together with the proper forms authorizing payment of the extension fee.

## Certificate of Transmission

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306 on December 22, 2003.

*Jeffrey C. Wilk*  
Jeffrey C. Wilk

Respectfully submitted,

*Jeffrey C. Wilk*  
Jeffrey C. Wilk  
USPTO Reg. No. 42,227

THE ECLIPSE GROUP

26895 ALISO CREEK ROAD, SUITE B-104, ALISO VIEJO, CA 92656

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Approved for use through 07/31/2008. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 110.00

## Complete If Known

Application Number ~~10424,670~~ 101066,124  
Filing Date January 30, 2002  
First Named Inventor Wells  
Examiner Name Johnston, Phillip A.  
Art Unit 2881  
Attorney Docket No. 01-40US

## METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number 502542  
Deposit Account Name The Eclipse Group

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Code (\$)	Code (\$)		
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims  -20\*\* =  X  =   
Independent Claims  -3\*\* =  X  =   
Multiple Dependent  =

Large Entity	Small Entity	Fee Description	Fee Paid
Code (\$)	Code (\$)		
1202 18	2202 9	Claims in excess of 20	
1201 84	2201 42	Independent claims in excess of 3	
1203 280	2203 140	Multiple dependent claim, if not paid	
1204 84	2204 42	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Code (\$)	Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	\$110.00
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 110.00

## SUBMITTED BY

Name (Print/Type) Francisco A. Rubio-Campos

Signature

Registration No. (Attorney/Agent)

45,358

(Complete if applicable)

Telephone 949-448-9410

Date

December 19, 2003

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

To: USPTO USPTO @ 703-872-9306

From: Francisco Rubio

Via MaxEmail Pg 8/21 12-29-03 09:20 PM

USPTO 12/20/2003 12:27 AM PAGE 1/001 Fax Server  
TO:Auto-reply fax to (714)948-8903 COMPANY:

## Auto-Reply Facsimile Transmission



TO: Fax Sender at (714)948-8903

Fax Information

Date Received:

Total Pages:

12/20/2003 12:21:58 AM [Eastern Standard Time]

13 (including cover)

**ADVISORY:** This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(a) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMPE) section 306 et seq.

Received  
Cover  
Page  
=====>

To: USPTO USPTO @ 703-872-9306		From: Francisco Rubio		Via MaxEmail Pg 8/21 12-29-03 09:20 PM	
		Attorney Docket No.: 01-4013		PATENT	
		Serial No.: 10431679		01-4013	
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE					
APPLICANT: Wells et al.		DOCKET NO.: 01-40 US			
SERIAL NO.: 10431679		GROUP ART UNIT: 2881			
DATE FILED: January 30, 2002		EXAMINER: Johnston, Philip A.			
		CONFIRMATION NO.: 3336			
TITLE: INTEGRATED ION FOCUSING AND GATING OPTICS FOR ION TRAP MASS SPECTROMETER					
<div style="border: 1px solid black; padding: 5px;"><p>I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being transmitted to the United States Patent and Trademark Office, Fax No. 703-872-9306 on December 19, 2003.</p><p><i>Francisco A. Rubio-Campos</i></p><p>Francisco A. Rubio-Campos</p></div>					
December 19, 2003					
Mail Stop Non-Fee Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450					
AMENDMENT UNDER 37 C.F.R. § 1.112					
Sir:					
This is responsive to the Office Action dated August 29, 2003, for which a shortened statutory period for reply expired on November 29, 2003. Applicants submit herewith a Petition for Extension of Time with the appropriate fee for extending the time for reply to December 29, 2003. Accordingly, the present amendment is believed to have been timely filed.					
PAGE 1/2 * RCVD AT 12/29/2003 10:16:32 PM [Eastern Standard Time] * SVR:USPTO-EFXXRF-1/0 * DNIS:8729306 * CSID:(714)948-8903 * DURATION (mm-ss):08-10					

Attorney Docket No.: PATENT  
Serial No.: 01-40US  
10/431,679

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: Wells et al. DOCKET NO.: 01-40 US  
SERIAL NO.: ~~10/431,679~~ 10/060,124 GROUP ART UNIT: 2881  
DATE FILED: January 30, 2002 EXAMINER: Johnston, Phillip A.  
CONFIRMATION NO.: 3336  
TITLE: INTEGRATED ION FOCUSING AND GATING OPTICS FOR ION  
TRAP MASS SPECTROMETER

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 703-872-9306 on December 19, 2003.

  
Francisco A. Rubio-Campos

December 19, 2003

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT UNDER 37 C.F.R. § 1.112**

Sir:

This is responsive to the Office Action dated August 29, 2003, for which a shortened statutory period for reply expired on November 29, 2003. Applicants submit herewith a Petition for Extension of Time with the appropriate fee for extending the time for reply to December 29, 2003. Accordingly, the present amendment is believed to have been timely filed.

To: USPTO USPTO @ 703-872-9306

From: Francisco Rubio

Via MaxEmail Pg 10/21 12-29-03 09:19 PM

Serial No.: 10/066,124

Attorney Docket No.: 01-40 US

Favorable consideration is respectfully requested in view of the following  
Amendments and Remarks.